

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

**ALABAMA DEPARTMENT OF
CONSERVATION, MARINE
RESOURCES DIVISION; SILVER SHIPS,
INC.; and NATIONAL LIABILITY &
FIRE INSURANCE COMPANY,**

Plaintiffs,

vs.

**WARREN ALLOY VALVE & FITTING
COMPANY, LP and W & O SUPPLY,
INC., et al,**

Defendants.

CIVIL ACTION NO 08-0326-KD-B

ORDER

This matter is before the Court on a *sua sponte* review of its jurisdiction. See Alabama Power Co. v. U.S. Dept. of Energy, 307 F.3d 1300, 1308 (11th Cir. 2002) (A court has an independent duty to examine its own jurisdiction); accord University of South Alabama v. American Tobacco Co., 168 F.3d 409, 411 (11th Cir. 1999).

Warren Alloy Valve & Fitting Company, LP, (Warren Alloy LP) filed an objection to this court's order to show cause why this case should not be remanded to the Circuit Court of Baldwin County, Alabama for lack of diversity jurisdiction. In the objection, Warren Alloy LP stated that plaintiff National Liability and Fire Insurance Company (National Liability) is a Connecticut corporation with its principal place of business in Nebraska.

This court then entered an order on May 27, 2009, wherein National Liability was ordered to file a reply to Warren Alloy LP's objection on or before June 3, 2009. In that order, the court stated that if this information was correct, then all of the plaintiffs are diverse from all

of the defendants. National Liability did not file a reply.

Accordingly, on the basis of the undisputed evidence that National Liability is a Connecticut corporation with its principal place of business in Nebraska, the court finds that diversity jurisdiction exists in this action. 28 U.S.C. § 1332.

DONE this the 9th day of June, 2009.

s/ Kristi K. DuBose
KRISTI K. DuBOSE
UNITED STATES DISTRICT JUDGE